



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce C. Monk
Serial No.: 09/994,399
Filed: November 26, 2001
Title: Validation And Verification
Apparatus And Method

Date: June 16, 2005
Group Art Unit: 2625
Examiner: Aaron W. Carter

HON. COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

STATEMENT OF ATTORNEY, JOSEPH FUNK

I am the attorney who wrote and was prosecuting the above identified patent application. On August 5, 2004 I filed a response to final office action and a request for continued prosecution. I awaited for a reply but heard nothing until I received a Notice of Abandonment dated April 19, 2005.

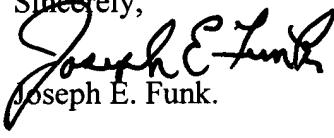
In my regular course of business of my office I have my secretary maintain a log of mail and fax documents sent and received as part of office operations. The day that documents are received they are entered into the mail log and the day that documents are sent they are entered into the mail log. A copy of the mail log for 2004 is attached to a separate Statement made by my secretary who maintains the mail log.

The above mentioned response to final office action and request for continued prosecution was made on August 5, 2004 via Express mail and this entry is seen in the log. I have no other records of other documents being received from the patent office concerning this patent application between August and December 2004.

A search by my office secretary of the mail log, the office files of the assignee AssureTec Systems Inc. and the inventors yielded nothing.

My secretary's Statement relates another incident we had this past year of the post office placing a box key belonging to someone else in my business PO box 661 (box of record in the PTO files). Every now and then pieces of mail belonging to other parties have also been mis-delivered to me.

Sincerely,



Joseph E. Funk.



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STATEMENT OF OFFICE SECRETARY, GLORIA FUNK

In the regular course of attending to clerical matters in the law office of Joseph Funk I maintain a log of mail and fax documents sent and received as a standard part of office operations. The day that documents are received they are entered into the mail log and the day that documents are sent they are entered into the mail log. A true printout of the log for 2004 is attached to this Statement.

Referencing the above identified patent application and the 2004 log, the applicant filed a request for continued examination on August 5, 2004 via Express mail and several days later I received back the return postcard stamped August 5, 2004. These entries are seen in the log. We have no other records of other documents being received from the patent office between August and December 2004.

Nothing more was heard from the patent office until mid April 2005 when A Notice of Abandonment was received dated April 19, 2005.

I informed Joseph Funk of the Notice of Abandonment. After a search by me of the mail log and the office files of the assignee AssureTec Systems Inc. and the inventors nothing else was found.

We had another incident last year in which wrong mail was placed in Mr. Funk business PO box 661. One day a small card was in the box with a key taped thereto with a note that the key had been found on the floor in the lobby. The problem is that the key was for box 660 - an error. I attach a picture of that card with key which I made.

Sincerely,

Gloria M. Funk.



2004 MAIL LOG Joseph E. Funk

Date Sent/Rcvd	Item	Ser. No.	File Date	Inventor	Validation & Verification App. & Method
01/29/04 exp mailed	response to 2nd office action + 2 mos ext	09/994399	11/26/2001	Monk ATS1	
02/04/04 exp mailed	new patent application	...	Heinz 1	Disposable plate system	
02/05/04 rcvd	official filing rcpt for prov dated 2/2/04	60/533021	12/27/2003	O'Connor 1	
02/06/04 rcvd	return postcard for response to OA2	09/994399	11/26/2001	Monk ATS1	
02/09/04 rcvd	return postcard for new appn	10/771531	2/4/2004	Heinz 1	
02/16/04 rcvd	office action - 2/13/04	10/324668	12/20/2002	Arsenault 2	
02/26/04 rcvd	office action dated 2/23/04	10/460964	6/16/2003	Waszak 2	
02/26/04 rcvd	office action - 2/23/04	10/295561	11/15/2002	Sullivan 1	
03/04/04 faxed	response to office action dated 2/13/04	10/324668	12/20/2002	Arsenault 2	
03/07/04 rcvd	PCT notice re payment of fees	PCT/US03/41085	12/20/2003	Arsenault 2	
03/10/04 rcvd	Notice of Allowance	10/279150	10/23/2002	Tuttle ATS3	
03/16/04 mailed	response to office action	10/295561	11/15/2002	Sullivan 1	
03/22/04 rcvd	return postcard for response dated 3/16/04	10/295561	11/15/2002	Sullivan 1	
03/10/04 reg mailed	Fee transmittal & check for \$965	10/279150	10/23/2002	Tuttle ATS3	
03/25/04 rcvd	Advisory action	10/203613	8/29/2002	Childs 2	
04/16/2004 exp mailed	response to office action of 2/23/04	10/460964	6/16/2003	Waszak 2	
04/19/04 rcvd	Notice of publication	10/295561	11/15/2002	Sullivan 1	
04/19/04 exp mailed	request for continued examination	10/203613	8/29/2002	Childs 2	
04/22/04 exp mailed	new patent application	...	...	McCue 1
04/23/04 rcvd	return postcard for OA	10/460964	6/16/2003	Waszak 2	
04/23/04 rcvd	return postcard for RCE	10/203613	8/29/2002	Childs 2	
04/26/04 rcvd	return postcard for new appn	10/828589	4/22/2004	McCue 1	
05/08/04 rcvd	final office action	09/994399	11/26/2001	Monk ATS1	
05/08/04 mailed	Provisional patent appn	...	Clair 1	Validation & Verification App. & Method	
05/10/04 rcvd	official filing receipt	10/771531	2/4/2004	Heinz 1	
05/14/2004 rcvd	office action dated 5/11/2004	10/430567	5/6/2003	LaMalfa 2	
05/14/2004 rcvd	office action dated 5/12/2004	10/290824	11/8/2002	Waszak 1	
05/19/04 rcvd	Letter regarding election of species	10/324668	12/20/2002	Arsenault 2	
05/28/04 exp mailed	new patent application	...	...	Cote 1
06/1/04 rcvd	return postcard stamped 5/28/04	10/856250	5/28/2004	Cote 1	
06/3/04 rcvd	official filing receipt (duplicate)	10/771531	2/4/2004	Heinz 1	
6/5/04 rcvd	office action dated 6/2/04	10/295561	11/15/2002	Sullivan 1	

06/10/04 exp mailed 06/12/04 rcvd 06/14/04 rcvd 06/14/04 exp mailed 06/16/04 rcvd	new patent application action for election of species return postcard for Clair provisional appn return postcard for Ebeed appn Response regarding restriction of species Return postcard for species election	10/268360 60/578327 10/865705 10/324668 10/324668	... 10/10/2002 Chysna 1 6/10/2004 Clair1 6/10/2004 Ebeed 1 12/20/2002 Arsenault 2 12/20/2002 Arsenault 2	Child's garment Wall mounted back scrubber Decorative hanging plant support Child's outerwear garment Calculus Dissolving Gel Calculus Dissolving Gel
07/07/04 rcvd 07/5/04 rcvd 07/17/04 rcvd 7/19/2004 exp mailed 7/19/2004 rcvd 7/24/04 rcvd 07/29/04 rcvd	International search report official filing receipt dated 7/1/04 Copy of Xmt'l of Appn to Designated Offices Response to OA dated May 12, 2004 office action dated 7/27/04 return postcard for office action official filing receipt	PCT/US03/41085 10/828,589 PCT/US03/41085 10/290824 10/460964 10/290824 10/856250	12/20/2003 Arsenault 2 4/22/2004 McCue 1 12/20/2003 Arsenault 2 11/8/2002 Waszak 1 6/16/2003 Waszak 2 11/8/2002 Waszak 1 5/28/2004 Cole 1	Calculus Dissolving Gel Adjustable hinge Calculus Dissolving Gel Stackable modular container Apparatus for fastening items on mantel Stackable modular container Load Leveler
08/05/04 exp mailed 08/06/04 rcvd 08/10/04 exp mailed 08/10/04 mailed 08/05/04 rcvd 08/13/04 rcvd 08/14/04 rcvd 08/16/04 rcvd	OA response & request for cont. exam. official filing receipt response to office action of 5/11/04 response to office action of 6/2/04 return postcard for final OA response return postcard - dated 08/10/04 official filing receipt for provisional return postcard - off action respon	09/94399 10/865705 10/430567 10/295561 09/94399 10/430567 60/578327 10/295561	11/26/2001 Monk ATS1 6/10/2004 Ebeed 1 5/6/2004 LaMalfa 1 11/15/2002 Sullivan 1 11/26/2001 Monk ATS1 5/6/2004 LaMalfa 1 6/10/2004 Clair1 11/15/2002 Sullivan 1	Validation & Verification App. & Method Child's outerwear garment Sports Memorabilia Ornamental Article Validation & Verification App. & Method Sports Memorabilia Decorative hanging plant support Ornamental Article
9/8/04 faxed to PTO 9/8/04 fax rcvd - PTO 09/13/04 rcvd 09/11/04 rcvd 9/21/04 mailed 9/22/2004 rcvd 09/25/05 rcvd 9/27/04 faxed to PTO 9/27/04 fax rcvd PTO 9/27/04 rcvd 09/28/04 exp mailed	response for election of species Confirmation fax received to above notice of allowance dated 9/9/04 letter regarding election of species GreenValley Trademark appn filed notification of unsigned response to OA notice of fee deficiency 9/20/04 signed copy of OA response Confirmation fax received to above return postcard for TM appn response to notice fee deficiency	10/268360 10/268360 10/295561 10/324668 ... 10/290824 10/268360 10/290824 10/290824 ... 10/268360	10/10/2002 Chysna 1 10/10/2002 Chysna 1 11/15/2002 Sullivan 1 12/20/2002 Arsenault 2 ... 11/8/2002 Waszak 1 10/10/2002 Chysna 1 11/8/2002 Waszak 1 11/8/2002 Waszak 1 ... 10/10/2002 Chysna 1	Wall mounted back scrubber Wall mounted back scrubber Ornamental Article Calculus Dissolving Gel Mark - Maine Trellis Company Stackable modular container Wall mounted back scrubber Stackable modular container Stackable modular container Mark - Maine Trellis Company Wall mounted back scrubber
10/1/04 rcvd 10/12/04 faxed to PTO 10/13/04 rcvd 10/14/04 mailed	office action dated 9/28/04 Supplement to species restriction office action dated 10/09/04 Issue fee transmittal	10/430567 10/268360 10/295561 10/295561	5/6/2004 LaMalfa 1 10/10/2002 Chysna 1 11/15/2002 Sullivan 1 11/15/2002 Sullivan 1	Sports Memorabilia Wall mounted back scrubber Ornamental Article Ornamental Article

10/19/04 rcvd	office action dated 10/15/04	10/268360	10/10/2002 Chysna 1	Wall mounted back scrubber
10/20/04 rcvd	official filing receipt	76/613481	9/23/2004 Quint 1	Mark - Maine Trellis Company
10/26/04 rcvd	postcard 10/21/04 - for issue fee	10/295561	11/15/2002 Sullivan 1	Ornamental Article
11/01/04 Exp mailed	New patent appn.	...	...	Fastening Device 1
11/11/04 Rcvd	return postcard	10/978885	11/1/2004 Shannon 1	Fastening Device 1
11/17/04 rcvd	First Office action	10/387113	3/12/2003 Moreau 1	Cargo Carrier For Vehicle
11/29/04 Exp mailed	New patent application	...	Dodge 1	Method for playing poker
11/30/04 Exp mailed	New patent application	...	...	Fastening Device 2
12/06/04 rcvd	return postcard	10/999041	11/29/2004 Dodge 1	Method for playing poker
12/07/09 rcvd	Issue notification dated 12/2/04	10/295561	11/15/2002 Sullivan 1	Ornamental Article
12/07/04 rcvd	notice of publication	10/460,964	6/16/2003 Waszak 2	Apparatus for fastening items on mantel
12/09/04 Rcvd	return postcard	10/999428	11/30/2004 Shannon 2	Fastening Device 2
12/13/04 rcvd	official filing receipt 12/09/04	60/629601	11/22/2004 Leal et al	Radio Controlled Adjustable Pitchback
12/16/04 exp mailed	Continuation application & Exp abandon	10/460,964	6/16/2003 Waszak 2	Apparatus for fastening items on mantel
12/20/04 rcvd	Notice of abandonment dated 12/15/04	10/203613	8/29/2002 Childs 2	Method for processing biosolid waste
12/21/04 Rcvd	Official filing receipt 12/13/04	10/978885	11/1/2004 Shannon 1	Fastening Device 1